

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FREDERIC J. ELLIOTT, On Behalf of Himself)	No. CV 4-1474 RSM
and All Others Similarly Situated,)	
Plaintiff,)	STIPULATION AND ORDER OF
) DISMISSAL	
v.)	
)	
DRUGSTORE.COM, INC., KAL RAMAN,)	
ROBERT BARTON, and SRIDAR IYER,)	
Defendants.)	
)	

IT IS HEREBY STIPULATED by the parties to the above action, through their respective attorneys, that this cause, including all claims, counterclaims and cross-claims which were or could have been asserted by any party, including appeals and cross-appeals, is dismissed with prejudice and all parties will bear their own costs.

Respectfully submitted,

KELLER ROHRBACK L.L.P.

Dated: November ____, 2005 By: _____

Lynn Lincoln Sarko WSBA #16569
Juli Farris Desper WSBA #17593
1201 Third Avenue, Suite 3200
Seattle, WA 98101
Phone: (206) 623-1900
Fax: (206) 623-3384

Liaison Counsel

SCHIFFRIN & BARROWAY, LLP

Thomas W. Grammer
Michael K. Yarnoff
280 King of Prussia Road
Radner, PA 19087
Phone: (610) 667-7706
Fax: (610) 667-7056

**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ, LLP**

Francis M. Gregorek
Rachele R. Rickert
Symphony Towers
750 B Street, Suite 2770
San Diego, CA 92101
Phone: (619) 239-4599
Fax: (619) 234-4599

Co-Lead Counsel

WILSON SONSINI GOODRICH & ROSATI

Dated: November _____, 2005

By: _____

Barry M. Kaplan WSBA #8661
Douglas W. Greene WSBA #22844
701 Fifth Avenue, Suite 5100
Seattle, WA 98104
Phone: (206) 883-2500
Fax: (206) 883-2699

James G. Kreissman
Simona G. Strauss
SIMPSON THACHER & BARTLETT LLP
3330 Hillview Avenue
Palo Alto, CA 94304
Phone: (650) 251-5000
Fax: (650) 251-5002

Counsel for Defendants

ORDER OF DISMISSAL

Based upon the foregoing stipulation, IT IS HEREBY ORDERED that the above-entitled cause be and it is hereby dismissed with prejudice and without costs.

Dated this 18th day of November, 2005.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE